



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

January 5, 2016

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7015 1520 0001 8019 5623

Mr. Rene Villa-Agustin, Director
Fuel Services & Environmental Compliance
Department of General Services
City of Los Angeles
111 East 1st Street
Los Angeles, California 90012
rene.villa-agustin@lacity.org

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT CITY OF LOS ANGELES DEPARTMENT OF GENERAL
SERVICES, CITY HALL SOUTH, 111 EAST 1ST STREET, LOS ANGELES**

Dear Mr. Villa-Agustin:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a complete response to our October 28, 2015 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and the Los Angeles City Fire Department within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA

Mr. Bernard Sanchez
Fire Inspector
Los Angeles City Fire Department
200 Main Street, Suite 1700
Los Angeles, California 90012
bernard.sanchez@lacity.org

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that the Los Angeles City Fire Department pursue enforcement, or the Los Angeles City Fire Department may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at Amantha.Henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

Attachment: October 28, 2015 Notice of Violation

cc: *(via email only)*

Ms. Anna Olekszyk
Los Angeles City Fire Department
anna.olekszyk@lacity.org

Captain Daniel Dragotto
Los Angeles City Fire Department
daniel.dragotto@lacity.org

Mr. Bernard Sanchez
Los Angeles City Fire Department
bernard.sanchez@lacity.org

Mr. Dirk Aubuchon
Motor Transport Division
Los Angeles Police Department
G9546@lapd.lacity.org

Mr. Steve Hillman
Los Angeles Department of General Services
steve.hillman@lacity.org

Mr. Sean Sullivan
Los Angeles Department of General Services
sean.sullivan@lacity.gov

Mr. Emmanuel Prince Ames
Los Angeles Department of General Services
emmanuel.amesi@lacity.org

State Water Resources Control Board

October 28, 2015

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7015 0640 0006 0950 4292

Mr. Rene Villa-Agustin, Director
Fuel Services & Environmental Compliance
Department of General Services
City of Los Angeles
111 East 1st Street
Los Angeles, California 90012
Rene.Villa-Agustin@lacity.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT CITY OF LOS ANGELES DEPARTMENT OF GENERAL
SERVICES, CITY HALL SOUTH, 111 EAST 1ST STREET, LOS ANGELES**

Dear Mr. Villa-Agustin:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on October 7, 2015, pursuant to authority under Health and Safety Code, chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to Health and Safety Code (H&SC), chapter 6.7, and title 23 California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Operating Permit – The facility permit to operate is expired.	All	October 7, 2015	Ongoing	H&SC 25284(a)
2	Failure to Maintain Facility and Tank Information (A&B Forms) – The tanks in the basement are USTs and need to have tank information form B filled out for each one. All other tank forms in CERS are submitted but not approved by the CUPA.	All	October 7, 2015	Ongoing	H&SC 25286(a); 23 CCR 2711(a)
3	Failure to Maintain Monitoring Plan – The monitoring plan onsite was outdated and the document in CERS has not been approved by the CUPA. This plan must include a weekly visual pipeline monitoring log for the waste oil tank.	All	October 7, 2015	Ongoing	H&SC 25286(a); 23 CCR 2711(a)(9)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Maintain Response Plan Onsite – The response plan was not available at the time of inspection. The document in CERS has not been approved by the CUPA.	All	October 7, 2015	Ongoing	23 CCR 2712(i)
5	Failure to Submit or Update Plot Plan/Site Map – The site plan does not include a scaled diagram which indicates the location of the UST systems with respect to buildings or other landmarks. A piping schematic with slopes should also be included.	All	October 7, 2015	Ongoing	H&SC 25286(a); 23 CCR 2711(a)(8)
6	Failure to Provide DO Training – Only one person received UST training from the designated operator. As this is a 24 hour facility, at least one UST trained employee must be present at all times.	All	October 7, 2015	Ongoing	23 CCR 2715(f)
7	Failure to Notify Local Agency of DO – The statement of designated operator form in CERS does not include the facility address.	All	October 7, 2015	Ongoing	23 CCR 2715(a)
8	Failure to Monitor Product Piping – Sensors in the following locations were unable to detect a leak at the earliest possible opportunity because they were not placed directly below the product piping: diesel 1 fill sump; diesel 2 ATG sump; and diesel 1 and 2 collars within each piping sump which isolate product piping from the rest of the sump.	Diesel 1 and 2	October 7, 2015	Ongoing	23 CCR 2630(d), 2638(a)
9	Failure to Monitor Product Piping – Sensors in the diesel 1 piping sump and the diesel 2 fill sump were unable to detect a leak at the earliest possible opportunity because the testing boots were on. The testing boots were removed at the time of the inspection.	Diesel 1 and 2	October 7, 2015	October 7, 2015	23 CCR 2630(d)

No.	Violation	Tank	Start Date	Stop Date	Regulation
10	Failure to Monitor Product – The sensor in the unleaded piping sump is unable to detect a leak at the earliest possible opportunity because it is not at the lowest point in the sump, directly beneath product piping and the testing boots are on. It appears that the solenoid valve in the turbine sump is the high point in the piping system. The low point in the piping system could not be identified because the point where the double-walled piping converted to single-walled piping could not be visually confirmed. Need to prove the slope of product lines in a piping schematic to determine if the testing boot must be removed in this piping sump.	Unleaded	October 7, 2015	Ongoing	23 CCR 2630(d)
11	Failure to Monitor Product Piping – No ability to visually monitor underground piping in basement because piping is contained in a fireproof tray with no sensors.	Unleaded	October 7, 2015	Ongoing	23 CCR 2630(d), 2638(a)
12	Failure to Tag Monitoring Equipment – The 208 sensor and the two line leak detectors in the unleaded piping sump did not have annual monitoring certification tags.	Unleaded	October 7, 2015	October 7, 2015	23 CCR 2638(f), 2641(j)
13	Failure to Maintain Monthly Visual Log for Unburied Piping – The two tanks located inside of the basement have connected piping that is not monitored by direct viewing and an inspection log was not available at the time of inspection.	Waste Oil, Locked Diesel Tank	October 7, 2015	Ongoing	H&SC 25281.5(b)
14	Failure to Maintain Monitoring or Testing Records Onsite – The 2012 and 2013 annual monitoring certification records were not available at the time of inspection.	All	October 7, 2015	Ongoing	H&SC 25293; 23 CCR 2712(b)
15	Failure to Perform Annual Monitoring Certification – No testing records available for the 420 sensor in the vapor pot of the waste oil tank.	Waste Oil	October 7, 2015	Ongoing	23 CCR 2638
16	Failure to Maintain Primary Containment – Hazardous substances do not have primary containment and the tank failed to maintain the system as product tight.	Waste Oil	October 7, 2015	Ongoing	H&SC 25291(a)(1); 23 CCR 2631(a), 2712(j)

No.	Violation	Tank	Start Date	Stop Date	Regulation
17	Failure to Maintain Spill Containment Requirements – Spill containment must be present for the two tanks in the basement with the following requirements; a 5 gallon capacity, a drain valve or a means to keep spill container empty, and be tested annually.	Waste Oil, Locked Diesel Tank	October 7, 2015	Ongoing	H&SC 25284.2; 23 CCR 2635(b)(1) 2665
18	Failure to Maintain Overfill Prevention – There was no functional overfill prevention system for the two tanks in the basement at the time of inspection.	Waste Oil, Locked Diesel Tank	October 7, 2015	Ongoing	H&SC 25291(c); 23 CCR 2635(b)(2), 2665
19	Failure to Maintain UST Monitoring System – There was no audio-visual alarm for the two tanks in the basement, and no sensor present under the leaking waste oil tank at the time of inspection.	Waste Oil, Locked Diesel Tank	October 7, 2015	Ongoing	H&SC 25291(b); 23 CCR 2630(d)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and the Los Angeles City Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Two line leak detectors are installed on the turbines in the unleaded piping sump. It must be confirmed that they have the ability to detect a 3 gallon per hour leak and are alternating in operation. Photographs must also be taken of the locked diesel tank in the basement that could not be located at the time of inspection. Please ensure photographs show all aspects of the tank system in its present state.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814
Rebecca.Green@waterboards.ca.gov

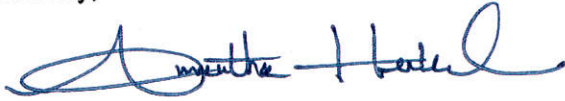
Local CUPA

Mr. Bernard Sanchez
Fire Inspector I
Los Angeles City Fire Department
200 Main Street, Suite 1700
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Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda Henkel".

Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Ms. Anna Olekszyk
Acting CUPA Manager
Los Angeles City Fire Department
Anna.Olekszyk@lacity.org

Captain Daniel Dragotto
Captain I
Los Angeles City Fire Department
Daniel.Dragotto@lacity.org

Mr. Bernard Sanchez
Fire Inspector I
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Mr. Sean Sullivan
Plumbing Supervisor
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Sean.Sullivan@lacity.gov